

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DIWANN M. MATHIS, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 22-1357-CFC
)	
SARALEE NORMAN, et al.,)	
)	
Defendants.)	

MEMORANDUM

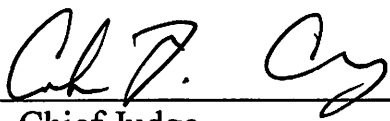
1. **Background.** Plaintiffs DiWann and Marketa Mathis, who reside in Delaware and are proceeding *pro se*, filed this action on October 14, 2022, naming as Defendants Saralee and Avi Norman, residents of New York and New Jersey, respectfully. (D.I. 1)¹ Plaintiffs brought claims sounding in negligence arising from a motor vehicle accident with Defendants that occurred in New Jersey in October 2018. On November 14, 2022, Plaintiffs filed a motion for a change of venue, seeking to transfer the case to the United States District Court for the District of New Jersey. (D.I. 8) Defendants did not file a response to Plaintiffs' motion, and the time to do so has passed. However, on November 17, 2022, three days after Plaintiffs' motion was filed, Defendants filed a motion seeking to

¹ Plaintiffs purport to bring the suit as well on behalf of three minor children as *guardians ad litem*.

dismiss the case on various grounds, or, alternatively, to transfer the case to the District of New Jersey. (D.I. 9) Plaintiffs did not file a response to Defendants' motion, and the time to do so has passed.

2. **Discussion.** The court may transfer a case “[f]or the convenience of parties and witnesses, in the interest of justice, . . . to any other district or division where it might have been brought or to any district or division to which all parties have consented.” 28 U.S.C. § 1404(a). The parties are in agreement that the proper venue for this case is the District of New Jersey, where the relevant events took place. Once transferred, Defendants may bring their arguments for dismissal.

3. **Conclusion.** For the above reasons, the Court will: (1) grant Plaintiffs' motion for a change of venue; (2) grant Defendants' motion to the extent it requested transfer to the District of New Jersey; (3) deny Defendants' motion without prejudice to renew to the extent it sought dismissal of the case; and (4) transfer the matter to the United States District for the District of New Jersey. A separate order shall issue.



Chief Judge

Dated: December 12, 2022
Wilmington, Delaware